

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE

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JAKE'S BAR AND GRILL, LLC, and  
ANTONIO VITOLO,

Plaintiffs,  
v.  
Case No. 3:21-cv-176

ISABELLA CASILLAS GUZMAN,

Defendant.

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PLAINTIFFS' NOTICE OF APPEAL

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Plaintiffs, JAKE'S BAR AND GRILL, LLC, and ANTONIO VITOLO, pursuant to 28 U.S.C. § 1292(a)(1),<sup>1</sup> hereby appeal to the United States Court of Appeals for the Sixth Circuit from the District Court's Order (Dkt. 20) and Memorandum Opinion (Dkt. 24), entered May 17 and May 19, 2021, respectively, denying Plaintiffs' Motion for Temporary Restraining Order (Dkt. 12) filed on May 12.

Dated May 20, 2021

WISCONSIN INSTITUTE FOR LAW & LIBERTY  
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<sup>1</sup> The Court of Appeals has jurisdiction to hear appeals from “[i]nterlocutory orders of the district courts ... granting, continuing, modifying, refusing or dissolving injunctions.” 28 U.S.C. § 1292(a)(1). Due to their short duration, an order granting or denying a TRO is generally not appealable, however the Court of Appeals to review a TRO decision that “has the practical effect of an injunction,” or if necessary to prevent “serious, perhaps irreparable, consequence[s],” *Maryville Baptist Church, Inc. v. Beshear*, 957 F.3d 610, 612 (6th Cir. 2020) (citation omitted); *Ohio Republican Party v. Brunner*, 543 F.3d 357, 360 (6th Cir. 2008); *Beacon J. Publ'g Co., Inc. v. Blackwell*, 389 F.3d 683, 684 (6th Cir. 2004).

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/s/ Luke N. Berg

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*Attorneys for Plaintiffs*

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed via the Court's ECF system which will effect service upon all counsel or parties of record.

Dated: May 20, 2021

/s/ Luke N. Berg  
Luke N. Berg